

### III. REMARKS

The Advisory Action noted that claim 1 and its dependent claims 2-4 and 13, and independent claim 15 are allowed, and that claim 7 is objected to. Claims 5-6, 8-12 and 14 stand rejected. In the Final Rejection of June 23, 2003, it was noted that claim 7 has allowable subject matter. Accordingly, claim 7 is rewritten now in independent form, so as to secure its allowance.

Independent claim 5 and its dependent claims 6, 8, 9 and 14, and independent claim 10 and its dependent claims 11-12 were rejected on new grounds of rejection based on the teachings of Eichinger (US 6,370,374) and Ogasawara (US 2002/0016740), as set forth in the Advisory Action. The teachings of these references were combined in the Final Rejection for rejection of claims 5 and 10 under 35 U.S.C. 103.

In this amendment, the independent claims 5 and 10 are amended to distinguish the present invention further from the combined teachings of Eichinger and Ogasawara, thereby to secure allowance of the rejected claims.

The Eichinger and Ogasawara references, upon which the new grounds of rejections are based, were employed also in the Final Rejection, wherein the Examiner has referred to the same lines and columns as in the Final Rejection. The following argument is believed to distinguish the claims, as amended, from the combined teachings of Eichinger and Ogasawara.

Eichinger does not relate to wireless user identification information (column 4, lines 38-40). Eichinger relates to

reading the information from the SIM-card from the user terminal and this SIM-card is not wireless.

Ogasawara relates to transmitting user ID data for customer identification for a service. Ogasawara does not relate to studying user identification information when starting up a wireless communication device (pages 4-5, paragraphs 0038 to 0040).

Normally, with the current known SIM card, the user identification data is studied in a terminal for accessing the terminal. After this, for connecting to a mobile network, the user identification data is sent from the terminal to the network, and is studied in the network for accessing the network. This procedure of sending user identification data from terminal to network, for accessing the network, is clearly different from a wireless studying of user identification data upon a starting up of a wireless terminal.

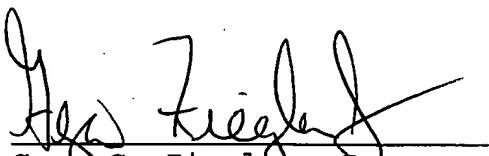
The amendatory passages, inserted at the ends of claims 5 and 10, emphasize that the user information is used for studying the user identification data of the same wireless communication device which is started up. The inserted passage states that the user data is checked in the wireless communication device (1) to determine if the user has access rights to the wireless communication device. This passage already appears at the end of allowed claim 1. Therefore, in the present invention, the point is to study the user identification data of the same wireless communication device which is started up (switched on) and not some other e.g. wireless element of a server which studies the user identification data for accessing some service. The teaching of the present invention is not access to some service,

but a studying of the user information wirelessly when the wireless communication device is started up.

For all of the foregoing reasons, it is respectfully submitted that all of the claims now present in the application are clearly novel and patentable over the prior art of record, and are in proper form for allowance. Accordingly, favorable reconsideration and allowance is respectfully requested. Should any unresolved issues remain, the Examiner is invited to call Applicants' attorney at the telephone number indicated below.

A check in the amount of \$1,806.00 is enclosed for a three month extension of time, a Request for Continued Examination and additional claim fees. The Commissioner is hereby authorized to charge payment for any fees associated with this communication or credit any over payment to Deposit Account No. 16-1350.

Respectfully submitted,

  
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12 December 2003  
Date

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I hereby certify that this correspondence is being deposited with the United States Postal Service on the date indicated below as first class mail in an envelope addressed to the Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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*Carolina Rodriguez*  
Person Making Deposit